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REPORT OF THE SECRETARY-GENERAL ON THE ACTIVITIES OF THE INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

1. Since my last report was issued on 24 December 1992 (S/25015), a number of important developments have taken place, about which I felt it important to inform the Security Council immediately.

Peace talks: 2-4 January 1993

2. In view of heightening international concern over the situation in Bosnia and Herzegovina, the Co-Chairmen of the Steering Committee issued invitations to the three sides in Bosnia and Herzegovina to come to Geneva from 2 January 1993 onward for talks on the following matters: "to discuss a sustainable cessation of hostilities; the demilitarization of Sarajevo; an agreement on a pull-back from the military front line in a way that reinforces and goes with the grain of an overall political settlement; ensuring free access of all citizens in and out of besieged cities and towns; and the free movement of humanitarian aid". The Governments of the Republic of Croatia and the Federal Republic of Yugoslavia were also invited to send representatives to the talks at the level they considered appropriate.

Background

3. In preparation for these talks, the Co-Chairmen of the Steering Committee invited President Tudjman of Croatia and President Izetbegovic of Bosnia and Herzegovina to Geneva for consultations on Sunday, 27 December, and Monday, 28 December 1992. Those consultations concentrated on the provincial structure in Bosnia and Herzegovina as an intrinsic part of future constitutional arrangements.

4. Also in preparation for the talks, the Co-Chairmen invited President Cosic of the Federal Republic of Yugoslavia and President Tudjman of the Republic of Croatia for consultations in Geneva on Monday, 28 December.

5. I considered it crucial that the parties should cooperate with the Co-Chairmen of the Steering Committee. I and the Co-Chairmen of the Steering Committee, Cyrus Vance and Lord Owen, accordingly had talks, individually, on Monday, 28 December, with President Cosic, President Tudjman and President Izetbegovic. I expressed to each of them my grave concern over developments in Bosnia and Herzegovina and the risks of escalation and expansion of the conflict. I strongly appealed to each of them to help the Co-Chairmen in their search for peaceful solutions.

6. In the light of my conversations with them, I wrote to the President of the Security Council on 30 December 1992 describing my impression that there were subtle signs of progress in the peace process and expressing my grave concern at the growing momentum for stronger military measures by the international community in Bosnia and Herzegovina. I stated my conviction - which I continue to hold - that this momentum should be slowed in order to allow the still fragile peace process an opportunity to take root.

7. My discussions with the three Presidents and the Co-Chairmen led me to the conclusion that the designation of Sarajevo as a demilitarized open city could be advantageous to the peace process in Bosnia and Herzegovina.

The talks

8. Talks among the three sides to the conflict in Bosnia and Herzegovina were held at Geneva from 2 to 4 January 1993. The delegations were represented at the highest political and military levels. Also present were President Cosic of the Federal Republic of Yugoslavia, with a delegation and President Tudjman of Croatia with a delegation. A list of the participants is set out in annex I to the present document.

9. This was the first time since the Co-Chairmen began their activities at Geneva on 3 September 1992, that the three sides to the conflict in Bosnia and Herzegovina had sat down together around the table for peace talks.

10. In their opening address to the talks, on 2 January, the Co-Chairmen, Cyrus Vance and Lord Owen, appealed to the participants that "this is a historic meeting. It is our best chance for peace and we must ensure that it succeeds. From the beginning, we have sought to work together with you in the quest for peace. Now, for the first time, we have the leaders of all delegations assembled here, together with their political and military advisers. You can act decisively to bring an end to the plight of the people of Bosnia and Herzegovina. who have suffered so grievously". The Co-Chairmen stressed the importance of Sarajevo as an "open city". The remarks of the Co-Chairmen are annexed (see annexes II and III).

11. The Co-Chairmen placed before the delegates a draft map on the delimitation of 10 provinces in Bosnia and Herzegovina (see annex V, appendix), as well as a set of constitutional principles to underlie the future constitutional framework of Bosnia and Herzegovina (see annex V). The

Co-Chairmen also circulated a paper prepared by the International Committee of the Red Cross showing the numbers and locations of prisoners held by the three sides in Bosnia and Herzegovina and urged their immediate release (see annex IV).

12. At the opening session of the talks, the leaders of the five delegations all made statements signalling their desire for peace in Bosnia and Herzegovina and promising to cooperate with the Co-Chairmen. Following these opening statements, the talks continued in two working groups. Working Group I, chaired by Mr. Martti Ahtisaari, considered the draft map on the provincial structure and the constitutional principles. Working Group II, chaired by the United Nations Protection Force Commander Lieutenant-General Satish Nambiar, discussed issues related to observance of a cessation of hostilities.

Activities of Working Group I

13. Working Group I held meetings on 2, 3 and 4 January 1993. Individual, bilateral and trilateral meetings were also conducted by Mr. Ahtisaari. The meetings all proceeded in an in-depth manner, without invective. Mr. Ahtisaari and the Co-Chairmen made extensive and determined efforts to bring the parties closer together on the delimitation of provinces and constitutional principles.

14. In the light of the discussions in the Working Group and of contacts with the delegations, Mr. Ahtisaari and the Co-Chairmen drew up and placed before the parties on 4 January a draft agreement relating to Bosnia and Herzegovina (see annex V). It dealt with the delimitation of provinces, a constitutional framework for Bosnia and Herzegovina and cooperation in respect of humanitarian efforts. Appended to it was a map suggesting a future provincial structure for Bosnia and Herzegovina.

Activities of Working Group II

15. Working Group II held meetings on 2, 3 and 4 January. The deliberations proceeded in a constructive atmosphere. The Group discussed the following items: principles of cessation of hostilities; restoration of infrastructure; opening of routes and freedom of movement; separation of forces; demilitarization of Sarajevo.

16. At the first meeting, on 2 January, the Chairman invited the delegations to make introductory presentations. Subsequently, at the start of the discussion on each item, General Nambiar raised issues on which he invited each delegation to comment in turn. In the light of their reactions, he prepared and submitted to the Working Group, on 4 January, elements of an agreement for peace in Bosnia and Herzegovina that would consist of an introductory part and annexes on the following points:

1. Measures for the achievement of an unconditional cessation of hostilities throughout Bosnia and Herzegovina.

2. Measures for the restoration of infrastructure in Bosnia and Herzegovina.

3. Measures on the opening of routes.

4. Arrangements on the separation of forces.

5. Measures for the demilitarization of Sarajevo.

6. Measures for the monitoring of the borders of Bosnia and Herzegovina.

7. Return of forces to designated provinces.

17. Following discussion of these elements in the Working Group, General Nambiar produced a revised version of the document, which he presented to the plenary session of the peace talks on 4 January. He stated that, in his view, the document represented a reasonable and constructive approach to dealing with the issues discussed in the Working Group. The Chairman's framework agreement for peace in Bosnia and Herzegovina is reproduced in annex VI to the present document.

Plenary session on 4 January 1993

18. At a plenary session of the talks on 4 January, the Co-Chairmen reminded the participants that the success or failure of the talks depended primarily on them. The ultimate choice was theirs: peace or war. The Co-Chairmen explained that they had reached a stage where they believed that they should put to the parties a comprehensive package that would form the basis for a fair, just and lasting peace. They therefore asked the delegations to sign the documents contained in annexes V and VI to the present report, which they explained, were inextricably linked. They explained, further, that if, at any time, the three parties proposed agreed changes in either of the two papers or the provincial map, those changes would be incorporated.

19. The Co-Chairmen expressed the hope that all three parties would sign the two documents. However, if any party wished to think about the issues involved overnight, they would be ready to hold another plenary session on Tuesday, 5 January. Alternatively, if one or more parties wished to take the document back for consultations, a further plenary meeting would be called in Geneva on Sunday, 10 January, at 11 a.m. after the recess for the Orthodox Christmas.

20. Some of the parties asked for further discussions on parts of the two documents proposed by the Co-Chairmen, a well as on the map. Accordingly, it was decided that the Conference would recess until Sunday, 10 January, at 11 a.m. The Co-Chairmen urged most strongly that there be maximum military

restraint in the intervening days. They also urged maximum restraint in the participants' public statements.

Concluding observations

21. The peace talks represented a historic step forward in the pursuit of peace in Bosnia and Herzegovina. Discussions took place on the three critical components for achieving peace in Bosnia and Herzegovina: the constitutional principles; the delimitation of provinces; and arrangements for implementing and monitoring a cessation of hostilities.

22. All the delegations participating in the talks pledged their cooperation with the Co-Chairmen in the search for peaceful solutions. The peace process has thus taken on a qualitatively new dimension. Henceforth it should be easier to establish clearly who is cooperating and who is not. I believe that the Security Council should let it be known clearly to all sides in Bosnia and Herzegovina that it is their duty to cooperate with the Co-Chairmen in bringing the conflict in Bosnia and Herzegovina to an end swiftly, and that there would be penalties for obstruction.

23. In the view of the ongoing talks in Geneva, it remains my sincere belief that, if the Council decides to adopt a resolution enforcing the ban on non-authorized flights over Bosnia and Herzegovina, it would be helpful if its implementation could be delayed for a reasonable period of time.

Annex I

Composition of delegations

Bosnian Croat

Mate Boban
Mile Akmadzic
Commander Milivoj Petkovic

Bosnia and Herzegovina

Alija Izetbegovic
Haris Silajdzic
Commander-in-Chief Sefar Halilovic
Kasim Trnka
Hajruddin Somun

Bosnian Serb

Radovan Karadzic
General Ratko Mladic
Aleksa Buha
Vladimir Lukic
Sveto Plavsic

Federal Republic of Yugoslavia

Dobrica Cosic
Svetozar Stojanovic
Ljubisa Rakic
Vladimir Pavicevic
Dragoslav Rancic
Radovan Radinovic

Croatia

Franjo Tudjman
Gojko Susak
Jure Radic
General Anton Tus
Neven Madey

Annex II

Opening statement of Mr. Cyrus Vance

This is an historic meeting. It is our best chance for peace and we must ensure that it succeeds. From the beginning we have sought to work together with you in the quest for peace. Now, for the first time, we have the leaders of all delegations assembled here, together with their political and military advisers. You can act decisively to bring an end to the plight of the people of Bosnia and Herzegovina, who have suffered so grievously.

The process we are starting today can make the difference between peace and war; between life and death for thousands of people. Those gathered around this table have it in their power to prevent us from sliding into escalation, or expansion, of the conflict. You, the leaders around this table, can control what comes next. Peace can come about only with your cooperation. We, in the International Conference, are here to assist you; the decision to choose peace or war rests with you.

It is your historic responsibility to see to it that peace prevails. We therefore welcome you and thank you for accepting our invitation to join us in these peace talks.

Peaceful solutions are within our grasp. The groundwork has been laid within the International Conference in the form of the principles agreed to, and the commitments made by all of the parties, many of which have unfortunately not been fulfilled. The road to peace lies in implementation of these principles and commitments. Time is running short.

We expect that the outcome of the process starting today will be the achievement, and consolidation, of tangible measures for peace. Let us, in this regard, remind you of the principles and commitments that already unite you:

(a) You agreed to the Principles of the International Conference adopted on 26 August. You committed yourselves that all parties should cease fighting and should engage actively in negotiations. You agreed on respect for the highest standards of human rights and on non-recognition of advantages gained by force;

(b) You agreed in London to the statement on Bosnia adopted on 27 August. It calls, inter alia, for a full and permanent cessation of hostilities; recognition of Bosnia and Herzegovina by the former Yugoslav republics; respect for the integrity of present frontiers, unless changed by mutual agreement; guarantees for the rights of all national communities and minorities; and the establishment of democratic and legal structures in Bosnia and Herzegovina;

(c) The three Bosnia and Herzegovina sides agreed to participate continuously and unconditionally in negotiations for the achievement of a cessation of hostilities and a constitutional settlement;

(d) The three Bosnia and Herzegovina sides also agreed to the unconditional and unilateral release, under international supervision, of all civilians detained, and the closure of detention camps without delay. To date, 137 prisoners have been released by the Bosnian Government; 5,040 prisoners have been released by the Bosnian Serbs; and 357 released by the Bosnian Croats. Unfortunately, 2,757 prisoners are still known to be held in captivity. According to the International Committee of the Red Cross (ICRC), 887 prisoners are still held by the Bosnian Government; 1,333 prisoners by the Bosnian Serbs; and 537 by the Bosnian Croats. A paper is being circulated to you which provides further information on where the detainees are being held. Your immediate release of all detainees is essential. It would not only be an indication of your peaceful intentions, but could also help to stop the drums of war, which are beating so loudly around us as we meet here today;

(e) The three sides agreed, on 30 September 1992, to the establishment of a Mixed Military Working Group to discuss the demilitarization of Sarajevo, the cessation of hostilities in Bosnia and Herzegovina and other military issues. Talks to achieve these objectives have been going on in Sarajevo since October and 17 meetings of the Mixed Military Working Group have so far been held;

(f) The three sides also agreed, with effect from 12 November 1992, to an unconditional cease-fire throughout Bosnia and Herzegovina. On 13 December, you reaffirmed your commitment to the unconditional cease-fire - a commitment which has not been realized fully;

(g) The three sides have made political and moral commitments to allow humanitarian assistance to reach all civilians in need.

We are assembled here today to bring about the implementation of these agreements.

In our letter inviting you to this meeting, we stated that our objectives are:

> "to discuss a sustainable cessation of hostilities; the demilitarization of Sarajevo; an agreement on a pull-back from the military front line in a way which reinforces and goes with the grain of an overall political settlement; ensuring free access of all citizens in and out of besieged cities and towns; and the free movement of humanitarian aid".

In this regard, let us remind you of the following points:

(a) The drafting of a new Constitution for Bosnia and Herzegovina is vital for the future of the country. The re-establishment of peace, assured respect for human and minority rights and the future institutional structure

of the country depend upon it. Within the Working Group on Bosnia and Herzegovina, chaired by Mr. Ahtisaari, you have had extensive opportunities to offer suggestions on the constitutional principles and structures that should underlie future institutional arrangements in Bosnia and Herzegovina. Out of this process, 10 principles have been distilled concerning the constitutional framework for Bosnia and Herzegovina. They will be circulated to you later. Our task in these meetings will be to confirm these principles and to convert these principles as rapidly as possible into the full text of a Constitution;

(b) You have had opportunities to offer your views, and to provide corresponding maps, on the delimitation of provinces. Discussions on maps have been taking place at the highest levels in recent days. In the light of those discussions, and in response to your wishes, we will be circulating to you a map indicating a proposed delimitation of the provinces (see annex V, appendix). A crucial task of our meetings is to finalize such a map;

(c) Within the Mixed Military Working Group, which has been meeting in Sarajevo since October, various measures have been discussed with regard to the implementation of the cease-fire accord of 12 November, and related humanitarian issues. Our task at these meetings will be to reach specific agreements for the observance of the cessation of hostilities, for monitoring it, and on measures that can help to relieve the plight of civilians. The designation of Sarajevo as an open city is one of the important ideas that have been suggested and we hope that the highest priority will be given to it.

Let us now turn to the organization of our work. We shall first give the floor to the heads of the three Bosnia and Herzegovina sides, followed by the heads of the other two delegations.

After these statements, two Working Groups will commence their work. Mr. Ahtisaari will chair Working Group I. General Nambiar will chair Working Group II.

At the opening of Working Group I, the Chairman will describe the map circulated on the proposed delimitation of provinces and will explain the 10 proposed constitutional principles. The Chairman will then lead the discussions towards the finalization of the map and the constitutional principles, as well as the establishment of a mechanism for preparing a full Constitution.

At the opening of Working Group II, the Chairman will invite discussions on measures for the designation of Sarajevo as an open city - on which you will be hearing shortly from Lord Owen; measures for the implementation of the cessation of hostilities, for relieving the plight of civilians and for stabilizing the situation in Sarajevo and other parts of Bosnia and Herzegovina.

The two Working Groups will meet in parallel sessions this afternoon, on Sunday and on Monday. On Monday at 8 p.m. we shall reconvene in plenary session to consider the recommendations of the two Working Groups, which shall be presented by their Chairmen. We shall continue in plenary session on the morning of Tuesday, 5 January, when, we hope that progress will be reached on the issues mentioned earlier.

Finally, on humanitarian matters, we appeal to you to do everything possible to facilitate access of the Office of the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations to civilians in need. We also appeal to you to increase your efforts in order to ensure security for humanitarian convoys and relief staff. Their security, and the need to respect their humanitarian mission, is a major concern of the international community. We also invite you to give particular attention to ensuring that humanitarian relief reaches, and is used for the benefit of, those for whom it is intended.

Annex III

Opening statement of Lord Owen

We thought it would be helpful in this plenary session if we outlined how we saw the two Working Groups proceeding. Their work is interrelated, but there is also a lot of detailed work which has to take place on which progress can be made independently. The Co-Chairmen intend to move between the two Working Groups and will in this way hope to minimize any problems of overlap.

As to the maps which you should now all have in front of you, there are 10 suggested provinces. We have sought to arbitrate on many conflicting claims and we have been very conscious of the need to follow the criteria that we established on 27 October. "Boundaries of provinces to be drawn so as to constitute areas as geographically coherent as possible, taking into account ethnic, geographical (i.e. natural features, such as rivers), historical, communication (i.e. the existing road and railroad networks), economic viability and other relevant factors." We have had to choose between conflicting claims and we cannot stress enough how vital it is that everyone accepts that there cannot be agreement without compromise, sometimes painful compromise.

In connection with the attached map (see annex V, appendix), it is proposed that a number of "throughways" be established, in respect of which the parties agree and will guarantee full freedom of movement and in respect of which the United Nations Protection Force (UNPROFOR) or another appropriate international force will, until the Constitution enters into force and for a period thereafter:

(a) Patrol these roads in order to ensure that the free flow of traffic is not obstructed by any provincial or other authorities;

(b) Control the crossings of these roads from one province into another to ensure that military forces or specified war matériel do not move through such crossings.

These provisions must be understood in the context of the proposed constitutional principle that "full freedom of movement shall be allowed throughout Bosnia and Herzegovina".

We are proposing the following "throughways":

1. On the road from Banja Luka to Bijeljina as it passes through Province 3, which we understand might be called Posavina Province.

2. On the road from Bihac to Livno as it passes through Province 2, which we understand might be called Banja Luka Province.

3. On the road from Ljubinje to the port of Neum as it passes through Province 8, which we understand might be called Mostar Province.

4. On the road from Sekovici to Han Pijesak as it passes through Province 5, which we understand might be called Tuzla Province.

5. If the road from Pale to Jahorina is extended so as to cross the road from Trnovo to Foca and to proceed to Kalinovik, it is envisaged that a "throughway" would be established, or a land corridor negotiated, where it proceeds through Province 7, Sarajevo Province. A "throughway" would also be established for the Trnovo to Foca road through Province 6, which we understand might be called East Herzegovina Province.

We envisage all the provinces except Sarajevo as having separate legislatures elected by normal democratic methods. In Sarajevo, the capital city, we believe that there would be considerable merit to underline its position as an "open city" if the three major "ethnic" groups as the constituent units of the State were represented in the Government of the province in the same way that we have proposed they should be represented in the presidency of the country. The boundaries of Sarajevo Province, that we propose would be the existing boundary, less the opstina of Pale but with the addition of Kresevo, part of Kiseljak and Visoko.

We believe that Sarajevo should be demilitarized at the earliest possible date, and we hope that the detailed discussions that have already taken place in the Mixed Military Working Group can now be brought to the point of agreement. The area of separation in the western and southern districts of Sarajevo provides for the withdrawal of heavy weapons and is linked to an absolute cease-fire, cessation of hostilities, freedom of movement for all civilians and the restoration of public utilities. Three free passage routes (blue routes) have been proposed with mutually agreed measures to guarantee and ensure the safe passage and free movement of civilians and humanitarian aid to and from Sarajevo. These routes would effectively lift the blockade of the city and establish free movement between Sarajevo and Zenica, Mostar and Zvornik.

After the cessation of hostilities the concept of blue routes for crossing existing confrontation lines will have to be extended to cover the whole country until free passage on all roads is established. Also there will be an urgent need for action to restore public utilities. Maintenance of the peace will in part depend on preventing the further introduction of military personnel, heavy weapons and ammunition for such weapons. Under Security Council resolution 787 (1992) the deployment of United Nations observers to border crossing-points has been authorized, and it will be necessary for them to observe, search and report on cargoes transiting the borders. The responsibility for preventing the movement of any such personnel and weaponry will lie with legal authorities in Croatia and in the Federal Republic of Yugoslavia (Serbia and Montenegro). While it will not be possible to deploy the full resources required for such a task immediately, priority will be accorded to deploying available observers to major crossing-points.

Separation of the armed forces throughout Bosnia and Herzegovina will have to be negotiated in the light of the boundaries of the new provinces. It

is envisaged that there will be no military forces in Sarajevo Province. Bosnian-Serb forces might withdraw to provinces 2, 4 and 6. Bosnian-Croat forces could be deployed in province 3, and the remaining forces would hopefully reach agreement as to their deployment in provinces 1, 5, 8, 9 and 10. Under our constitutional principles (No. 8) Bosnia and Herzegovina is to be progressively demilitarized.

Sadly, some of the boundaries of provinces will inevitably be treated as a front line with roadblocks and other manifestations of confrontation but as confidence in the cessation of hostilities grows, it would be hoped that the barriers will soon come down. Confidence-building measures will have to be developed along with the coralling, United Nations supervision and eventual dismantling of much of the heavy weaponry.

This is a comprehensive agenda that faces us over the next few days but we hope that we will nevertheless be able to settle on heads of agreement before we recess.

The ban on military flights over Bosnia and Herzegovina would continue with only Casevac and Medevac flights allowed and all combat aircraft grounded. But it would be hoped that UNHCR and UNPROFOR flights to Sarajevo will be extended to Cazin, Banja Luka and Tuzla airports and communications flights for government officials will be authorized.

Interim measures for the government of the provinces, the government of the country and the establishment of the presidency will have to be agreed.

Once the new Constitution is agreed and a stable peace and normal civil life has been established, United Nations/European Community (EC)-supervised elections will be instituted.

Annex IV

Unconditional and unilateral release of all prisoners

Paper presented by the International Committee of the Red Cross

1. During the London session of the International Conference and pursuant to a subsequent agreement signed at the International Committee of the Red Cross (ICRC) headquarters on 1 October 1992, the parties to the conflict agreed to release all prisoners. Today, the situation is as follows:

Prisoners held by the Bosnian Government: 137 released, 887 still held;

Prisoners held by Bosnian Croats: 357 released, 537 still held;

Prisoners held by Bosnian Serbs: 5,040 released, 1,333 still held.

2. The release process came to a standstill after the Bosnian Serbs released all prisoners held at Manjaca, except 532 who were transferred to Batkovic (camp closed on 18 December) and the two other parties did not release all their prisoners as promised during talks with President Sommaruga on 9 December. The respective positions are as follows:

(a) The Bosnian Government says it stands ready to release all prisoners, except war criminals, after an amnesty has been proclaimed. The following places of detention are concerned:

Held by the Government of Bosnia and Herzegovina:

Bihac	7
Breza	1
Konjic	106
Tarcin	285
Tuzla	135
Tesanj	9
Travnik	3
Visoko	62
Zenica	279

(b) The Bosnian Croats claim that 532 prisoners were transferred out of Manjaca before the closure of the camp and that they are not holding any prisoner themselves. In reality the situation is as follows:

Held by Bosnian Croat authorities:

Livno	120	(civilians assigned to residence)
Mostar Rodoc	9	
Orasje	161	
Rascani	247	(civilians assigned to residence)

The 532 prisoners have been visited by the ICRC in Batkovic, except 131, who were reportedly exchanged near Sokolac.

(c) The Bosnian Serbs claim that they have made enough unilateral gestures. They still hold the following prisoners:

Held by Bosnian Serb authorities:

Banja Luka Tunjice	54
Batkovic	1 163
Doboj	97
Kotor Varos	18
Manjaca	-
Vlasenica	1

In view of the promise made by each party, the closure of all the above places of detention can no longer be contingent on considerations of reciprocity. All the prisoners must be released under ICRC auspices in unilateral and unconditional operations. It is also of utmost importance that all three parties to the conflict provide ICRC with proper notification of all other prisoners they hold and give the necessary facilities so that immediate visits can be made to all prisoners held within Bosnia and Herzegovina.

ANNEX V

Draft agreement relating to Bosnia and Herzegovina

THE UNDERSIGNED

Guided by the principles of the Charter of the United Nations the Universal Declaration of Human Rights 1/ and the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities, 2/

Recalling the statement of principles and the statement on Bosnia adopted by the International Conference on the Former Yugoslavia at its session in London and the Programme of Action on Humanitarian Issues agreed to at that session,

Considering the decisions of the United Nations Security Council relating to the former Yugoslavia,

Reaffirming their commitment to peace and security among the successor States to the former Yugoslavia,

Hereby agree as follows:

I. Delimitation of provinces

The delimitation of Bosnia and Herzegovina into provinces shall be in accordance with the attached map.

II. Constitutional framework for Bosnia and Herzegovina

Tripartite negotiations shall proceed on a continuous basis in Geneva, under the auspices of the International Conference on the Former Yugoslavia, in order to finalize a Constitution for Bosnia and Herzegovina in accordance with the following principles:

(1) Bosnia and Herzegovina shall be a decentralized State, with most governmental functions carried out by its provinces.

(2) The provinces shall not have any international legal personality and may not enter into agreements with foreign States or with international organizations.

1/ See General Assembly resolution 217 A (III).

2/ See General Assembly resolution 47/135.

(3) Full freedom of movement shall be allowed throughout Bosnia and Herzegovina, to be ensured in part by the maintenance of internationally controlled throughways.

(4) The Constitution shall recognize three "constituent peoples", as well as a group of "others".

(5) All matters of vital concern to any of the constituent peoples shall be regulated in the Constitution, which as to these points may be amended only by consensus of these constituent peoples; ordinary governmental business is not to be veto-able by any group.

(6) The provinces and the central Government shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The Presidency shall be composed of three elected representatives each of the three constituent peoples. The initial elections are to be United Nations/European Community/Conference on Security and Cooperation in Europe supervised.

(7) A Constitutional Court, with a member from each group and a majority of non-Bosnian members initially appointed by the International Conference on the Former Yugoslavia, shall resolve disputes between the central Government and any province, and among organs of the former.

(8) Bosnia and Herzegovina is to be progressively demilitarized under United Nations/European Community supervision.

(9) The highest level of internationally recognized human rights shall be provided for in the Constitution, which shall also provide for the ensurance of implementation through both domestic and international mechanisms.

(10) A number of international monitoring or control devices shall be provided for in the Constitution, to remain in place at least until the three constituent peoples by consensus agree to dispense with them.

III. Cooperation in respect of humanitarian efforts

1. Maximum cooperation shall be extended to the High Commissioner for Refugees, the International Committee of the Red Cross, the United Nations Protection Force, the European Community Monitoring Mission, and other humanitarian organizations working to provide assistance to refugees and displaced persons.

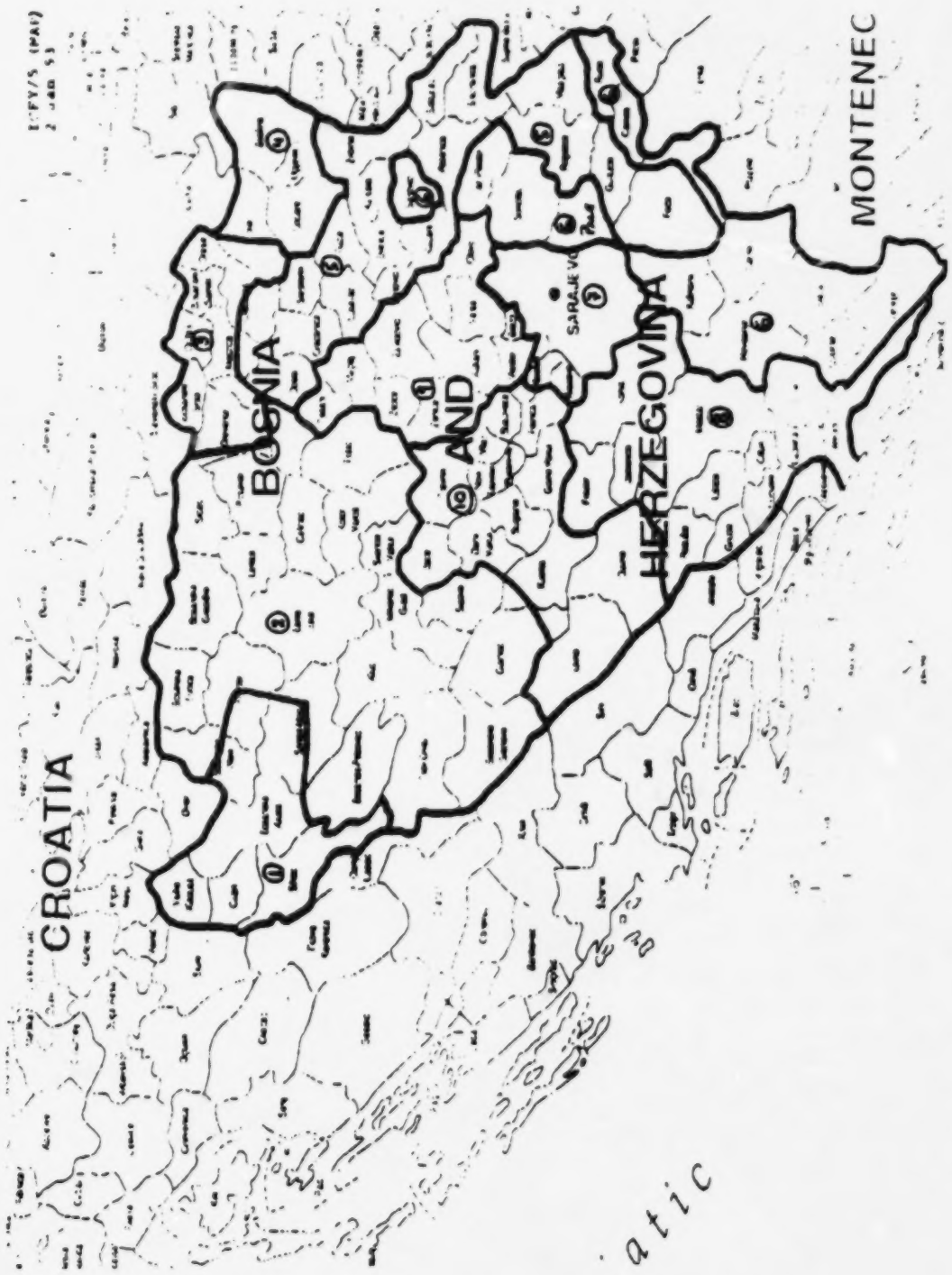
2. Full cooperation shall also be extended to the High Commissioner for Refugees in drawing up and implementing programmes for the return of refugees and displaced persons to their homes.

IZETBEGOVIC KARADZIC BOBAN

Witnessed by:

VANCE OWEN

Appendix



Annex VI

Agreement for peace in Bosnia and Herzegovina

THE UNDERSIGNED

Welcoming the invitation of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to participate in talks for the restoration of peace in Bosnia and Herzegovina;

Taking account of the constructive atmosphere of the peace talks held in Geneva from 2 to 5 January and the assistance of the Force Commander of the United Nations Protection Force, Lieutenant-General Satish Nambiar;

Keeping in mind the principles of the International Conference and the resolutions of the United Nations Security Council, in particular resolutions 752 (1992) and 787 (1992) pertaining to withdrawal of all outside forces from Bosnia and Herzegovina;

Wishing to bring the conflict in Bosnia and Herzegovina to an end without any further delay and to re-establish peace throughout the country;

Desiring to work out arrangements for bringing about compliance with a cessation of hostilities, and for monitoring it so as to ensure that it is effective and lasting;

Hereby agree on the following:

1. Measures for the achievement of an unconditional cessation of hostilities throughout Bosnia and Herzegovina, as set out in annex I to the present agreement;

2. Measures for the restoration of infrastructure in Bosnia and Herzegovina, as set out in annex II to the present agreement;

3. Measures on the opening of routes, as set out in annex III to the present agreement;

4. Arrangements on the separation of forces, as set out in annex IV to the present agreement;

5. Measures for the demilitarization of Sarajevo, as set out in annex V to the present agreement;

6. Measures for the monitoring of the borders of Bosnia and Herzegovina, as set out in annex VI to the present agreement;

7. Return of forces to designated provinces, as set out in annex VII to the present agreement.

Sefar Halilovic	Ratko Mladic	Milivoj Petkovic

Witnessed by:

Radovan Radinovic	Anton Tus
Cyrus Vance	David Owen

Annex I

Cessation of hostilities

BROAD PRINCIPLES

All parties agree to support the broad principles required to support a cessation of hostilities. These broad principles will be translated into concrete action through additional discussion within the Mixed Military Working Group. Several of the principles will be dealt with on a stand-alone basis, although they remain an integral part of the overall framework of the cessation of hostilities.

The broad principles are:

A cease-fire must be put in place and remain effective. This is to be implemented 72 hours from the time of signature of the agreement.

Monitoring and control measures are to be put in place to ensure compliance and should include as a minimum:

- Links between Commanders in conflict areas (hot lines)

- Provision of United Nations Protection Force/European Community Monitoring Mission liaison and monitors

- Establishment of joint crisis management teams

- Opening of confrontation line crossing-points, for use by the United Nations Protection Force and monitoring agencies

The separation of forces is to be achieved.

Routes supporting the general freedom of movement of people, commerce and humanitarian aid are to be opened.

The restoration of infrastructure will proceed as a priority. Restoration will not be linked to any negotiations.

ESSENTIAL ELEMENTS

- Signature of declaration - initiates all follow-on action (D-3). The 72 hours permit passage of information

- Cessation of hostilities effective (D-Day)

- Declaration of forces - this is to take place on D-1 and should include:

- Numbers and locations of all heavy weapons,
- Detailed documentation of minefields,
- Location of front lines (traces),
- Defensive works and positions.

- Establish demarcation line (joint activity)

- Move in United Nations Protection Force forces to establish security (commencing D + 1)
  - Monitor lines of conflict,
  - Monitor heavy weapons,
  - Reporting system (all parties).

- Withdrawal of heavy weapons
  - Of calibre 12.7 mm and above; 5 days for Sarajevo and 15 days for remaining areas,
  - Locations to be determined based on effective ranges of weapon systems,
  - All such withdrawals will be supervised by the United Nations Protection Force and subsequently monitored at the designated locations by the United Nations Protection Force in order to prevent their use.

- Separation of forces
  - Abandon defensive works on confrontation line,
  - Area of separation to be agreed,
  - Distance in which no forces, except police, allowed,
  - Distance within which no defensive works will be manned.

Separation of forces and withdrawal of heavy weapons are linked

Mixed Military Commission is established to deal with any clarifications and breaches of the cessation of hostilities.

Annex II

Restoration of infrastructure

All parties agree that denial or use of civil utilities as a weapon of war is unacceptable, and all affirm their commitment to the full restoration of the civil infrastructure across Bosnia and Herzegovina, and in particular, Sarajevo.

The provision of humanitarian aid cannot be linked in any way with the military steps of the process of demilitarization or cessation of hostilities. Being humanitarian in nature its priority is strictly governed by the ability of all three parties to support its implementation.

Restoration will be the first priority. Therefore, immediate efforts must be placed on the restoration of infrastructure. This is equally applicable to the city of Sarajevo as well as the rest of Bosnia and Herzegovina. It includes where applicable:

Power grids

Power stations

Bridges

Gas

Telecommunications

Railway lines

Routes

Water supply.

Guarantees of security will be requested and must be provided and the restoration of power/water/heat will be fully supported by the warring parties.

A joint committee is already in place in Sarajevo; the work of this committee is to be facilitated with immediate effect to enable early restoration of utilities in Sarajevo.

Assistance will be provided through all the appropriate agencies, including United Nations and civilian expertise. However, within Bosnia and Herzegovina, a joint commission composed of representatives of all sides is to identify the priorities, define the needs and execute the work in conjunction with civil authorities. To this end, vital installations will be identified in conjunction with the Bosnia and Herzegovina joint commission:

- Access will be guaranteed after local arrangements are made;

- Forces will be withdrawn from sites consistent with security;

- Warring parties will provide, when necessary, liaison for the repair teams;

- Civil agencies/workers will be assisted.

Parties will work to re-establish infrastructure, including railways/power grids/water supplies, across borders with neighbouring republics.

Respect for infrastructure facilities must be developed and they must remain free from attack or use as defensive positions.

All parties agree to develop a common instruction for passage down chains of command to demonstrate an equal endorsement of support.

Annex III

Opening of routes

The opening of routes is directly related to the political issue which concerns the freedom of movement of all people in the context of constitutional principles. It is equally applicable to Sarajevo as well as all other areas of Bosnia and Herzegovina.

It is to be achived through:

Security guarantees by all parties to ensure non-interference and protection of personnel and material using the routes.

Non-interference on the route.

Checkpoints, patrols, and monitoring by the United Nations Protection Force/European Community Monitoring Mission, as appropriate.

Supervised inspection at entry points.

Freedom of passage of humanitarian aid.

Absolute freedom of movement of United Nations forces.

The concept of blue routes for Sarajevo is appended hereto. This format is applicable for the establishment of all other similar types of routes within Bosnia and Herzegovina. Additional routes can be negotiated under the aegis of the Mixed Military Working Group.

Appendix

Sarajevo "blue route" concept

The parties have decided to establish three free-passage routes with mutually agreed measures to guarantee and ensure safe passage for freedom of movement of civilians, commercial goods and humanitarian aid to and from Sarajevo.

These routes are:

- Sarajevo-Zenica-Sarajevo
- Sarajevo-Mostar-Sarajevo
- Sarajevo-Zvornik-Sarajevo

Outline plan for blue routes

1. Execution

1.1 Prerequisites.

The following prerequisites are to be required:

1.1.1 Cessation of hostilities.

1.1.2 Complete freedom of movement for United Nations Protection Force forces on the three blue routes.

1.2 Use of the blue routes.

1.2.1 Timings

Routes will be open during daylight hours for convoys. The United Nations Protection Force forces will use the routes 24 hours each day.

1.2.2 Access for civilians

All civilians, regardless of sex, age or ethnic origin, and without weapons or ammunition, will be allowed to use the routes. Private and commercial vehicles will also be permitted on each route subject to inspection outlined in paragraph 1.5.1 below.

1.2.3 Access for humanitarian aid.

All international and local humanitarian aid agencies will be allowed to use the routes. Humanitarian aid includes, but is not limited to, food, water, medical supplies and fuel.

1.2.4 Access for commercial goods.

Normal commerce will be progressively restored to and from Sarajevo.

1.3 Establishment of routes

1.3.1 Sarajevo-Zenica-Sarajevo

This route incorporates Sarajevo-Rajlovac-Ilijas-Visoko-Zenica.

1.3.2 Sarajevo-Mostar-Sarajevo

This route incorporates Sarajevo-Ilidza-Hadzici-Tarcin-Jablanica-Mostar.

1.3.3 Sarajevo-Zvornik-Sarajevo

This route incorporates Sarajevo-Bentbasa-Mokro-Sokolac-Vlasenica-Zvornik.

1.4 Checkpoints

Checkpoints will be established and manned by United Nations Protection Force forces at the entrance and exit of each route and when crossing a line of confrontation. Each United Nations Protection Force checkpoint will be located near or with the checkpoint of the force controlling the territory involved consistent with the security requirements of the factions. No side will be permitted to erect a new checkpoint.

1.5 Control measures

1.5.1 Inspection procedures

(a) Inspections will be conducted by United Nations Protection Force forces. Each side is permitted to monitor the events in close coordination with the United Nations Protection Force.

(b) War-related material, weapons or ammunition are forbidden. If found, the items will be confiscated and subsequently destroyed under control of the United Nations Protection Force and the parties.

(c) Humanitarian aid convoys may be subjected to inspections. (Note: commercial traffic has been excluded.)

(d) Checkpoints will be activated only during daylight hours as a safety measure for civilians and convoys.

1.5.2 Escorts

(a) Each convoy will be escorted with the appropriate United Nations Protection Force vehicles.

(b) Convoys and escorts will take priority over military activities.

(c) The Army controlling the territory involved may provide civilian police as an additional means of security.

1.5.3 Patrols

(a) United Nations Protection Force forces will patrol the blue routes as necessary.

(b) Patrols will consist of at least two vehicles suitably equipped and will contain an appropriate communications net.

(c) All United Nations Protection Force patrols will be permitted to cross all checkpoints.

1.6 Implementation

1.6.1 Suggested timeframe

D-3 - Signature of cessation of hostilities

D+1 - Erecting checkpoints

- Inspection procedures agreed

- Routes cleared of all obstacles

- Repairs carried out as required

- Reconnoitre by the United Nations Protection Force

D+5 - Opening of blue routes for civilians and humanitarian aid.

Annex IV

Separation of forces

The parties agree that the separation of forces is an element of the overall cessation of hostilities. An agreement will be based on the steps and control measures and sequences of events outlined below:

STEPS

The concrete steps envisaged in the process include:

- An absolute cease-fire.
- Temporary freezing of the military situation, pending agreement on return of forces to designated provinces.
- No forward deployments or offensive action.
- No move of additional forces, explosives and weapons forward will be permitted. Rotation on an individual basis is acceptable.
- Withdrawal of heavy weapons (direct and indirect fire) of all parties from areas of confrontation to areas out of range, decided upon by the parties in conjunction with the United Nations Protection Force.
- Physical separation of forces in contact.
- Security and monitoring of the demilitarized zone.

CONTROL MEASURES

The control measures required include:

- Declaration of forces in being, including location of minefields.
- Monitoring of front lines.
- Declaration of heavy weapons in separation areas.
- Establishing agreed lines on which forces may be located.
- Staged withdrawal of forces culiminating in their relocation to designated provinces.

SEQUENCE OF EVENTS

- Cease-fire under aegis of the overall cessation of hostilities.

- Establishment and patrol of the demarcation line by United Nations Protection Force personnel.

- Withdrawal of designated weapons systems of all parties.

- Search and clearance of the affected area by joint patrols.

- Conduct of joint and United Nations-only patrols within the area. Composition of the patrols to be negotiated at the Mixed Military Working Group.

UNPROFOR CONCEPT FOR HEAVY WEAPONS CONTROL

- All heavy weapons 12.7 mm calibre and above are included.

- These weapons will be withdrawn out of effective range to areas decided between the United Nations Protection Force and the parties.

- The withdrawal will be monitored by the United Nations Protection Force.

- Once in location the weapons will be monitored to ensure that they are not used.

- The United Nations Protection Force will not physically take over the weapons.

- Where terrain such as towns preclude moving weapons out of range, they will be gathered in agreed locations under the United Nations Protection Force control to ensure that they are not used.

Annex V

Demilitarization of Sarajevo

The demilitarization of Sarajevo is based on one requirement: an effective cessation of hostilities.

The other elements are:

- Establishment of control on a designated line
- Restoration of civil utilities
- Land routes and freedom of movement
- Separation of forces along lines of confrontation.

Control measures include:

- Patrol and monitoring of the demarcation line
- Checkpoints at major crossings until confidence is restored
- Mixed patrols in the demilitarized zone.

A military/civil joint commission as previously proposed should oversee the implementation of the accord.

Appended hereto is a draft agreement covering first stage of a potential agreement on the demilitarization of Sarajevo. This stage covers the airport area as already discussed at the Mixed Military Working Group.

Appendix

Proposed agreement on the first stage of demilitarization of Sarajevo

The authorized representatives of all three conflicting sides with the presence of the United Nations Protection Force representative agree on the implementation of an area of separation in the western and southern districts of Sarajevo.

Cessation of hostilities

The cessation of hostilities will be implemented as follows:

(a) The freezing of the military situation on the existing lines;

(b) No offensive action allowed;

(c) No forward redeployments;

(d) All heavy weapons will be withdrawn from positions from which they can engage;

(e) No movement of any additional forces although rotation of personnel on a one-for-one basis shall be permitted;

(f) No movement or resupply of ammunition, explosives or incendiary devices.

Freedom of movement for all civilians

The agreement on blue routes will re-establish the freedom of movement of all civilians in support of this plan.

Restoration of civil utilities

A Joint Commission composed of representatives from each side will identify priorities, define needs and execute the implementation of civil utilities. Details can be found in annex II, Restoration of infrastructure.

Removal of heavy weapons

(a) Area. All heavy weapons will be withdrawn to designated locations from the following: Mojmilo, Dobrinja, Lukavica, Gornji, Kotorac, Vojkovici, Hrasnica, Sokolovici, Butmir, Ilidza, Otes, Stup, Nedarici.

(b) Joint Commission. A Joint Commission will be created.

(1) The mission of this Joint Commission will be to execute and implement details of this plan and subsequent phases.

(2) This Joint Commission will be composed of:

a. A United Nations Protection Force command and support element.

b. A team of each side commanded by an officer senior enough to make decision and designated as the authorized commander for the troops in the area affected.

c. A joint communications system which includes a command net and the necessary guaranteed communications link to each individual headquarters.

(c) Time-frame. From each district the withdrawal of heavy weapons out of the designated area will be carried out in two stages within a period of five days:

(1) Stage 1 - Withdrawal of all direct fire weapons of 12.7 mm calibre and above (tanks, armoured personnel carriers, anti-tank, anti-aircraft and heavy machine guns).

(2) Stage 2 - Withdrawal of all heavy indirect fire weapons (mortars, field artillery).

(d) Control measures. The following implementation and control measures will be used:

(1) United Nations Protection Force forces will patrol the area of separation between the conflicting sides.

(2) United Nations Protection Force forces will be deployed on the confrontation lines and on agreed mixed checkpoints proposed by the Joint Commission.

(3) All parties are to identify weapons by type and locations and will provide the United Nations Protection Force with detailed maps of areas considered to be under their respective control.

(4) Complete freedom of movement for all United Nations Protection Force personnel and vehicles within the affected areas.

(5) The Joint Commission will establish mixed patrols as appropriate.

Annex VI

Monitoring of borders

Pursuant to United Nations Security Council resolution 787 (1992), paragraph 5, to prevent interference from outside the Republic of Bosnia Herzegovina, United Nations Protection Force/European Community Monitoring Mission will monitor borders with neighbouring republics.

Principles

United Nations Protection Force/European Community Monitoring Mission forces will monitor crossings to prevent weapons, munitions, military personnel or irregular forces from entering the country.

Borders with adjoining republics will be monitored.

United Nations Protection Force actions to observe, search and report will be facilitated by the authorities of the Republic of Croatia and the Federal Republic of Yugoslavia.

Annex VII

Return of forces to designated provinces

To enable the process of return to normalcy, and as a direct follow-on from the cessation of hostilities and the separation of forces, a return of forces to designated provinces will be conducted. This can start as part of the withdrawal of heavy weapons but, given the winter weather conditions, it is hard to fix a definite date for the completion of this process. We should however aim to achieve the return of forces within 45 days.

This stage will be coordinated with an agreed demobilization of forces in being.

United Nations Protection Force/European Community Monitoring Mission will monitor the withdrawal of these forces in conjunction with national and provincial authorities.

The Mixed Military Working Group would be the technical negotiating agency.